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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY J. BROOKS,

Plaintiff,

v.

JACQUELINE BRYANT,

Defendant.

<input checked="checked" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
SEP 27 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

3:19-cv-00457-APG-CBC

ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections ("NDOC"), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff has neither paid the full filing fee for this matter nor filed an application to proceed *in forma pauperis*.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

II. CONCLUSION

For the foregoing reasons, **IT IS ORDERED** that the Clerk of the Court **SHALL SEND** Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on

1 the correct form with complete financial attachments in compliance with 28 U.S.C. §
2 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing
3 fee and the \$50 administrative fee).

4 **IT IS FURTHER ORDERED** that if Plaintiff does not timely comply with this order,
5 the court will enter a report and recommendation to dismiss this action.

6 **IT IS FURTHER ORDERED** that the Clerk of the Court shall retain the complaint
7 (ECF No. 1-1), but shall not file it at this time.

8 DATED: 9/27/2019

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11 **UNITED STATES MAGISTRATE JUDGE**
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